

March 11, 1969

## CONGRESSIONAL RECORD — Extensions of Remarks

E1863

Of course, Congress was thinking in terms of a legal counselor for the government—an official to interpret and expound the common law and the Constitution. In a way, I think I would have liked that concept of the job. It evokes for me a picture of things past, of a simpler life lived at a slower pace. The quilled pen and the standup desk, everything but the powdered wig, would have been congenial. But I must accept the Department as it is today and my responsibilities to it.

## THE DEPARTMENT OF JUSTICE: PHYSICAL STRUCTURE

For here is an organization of no less than 208 separate entities. These include five offices—the Office of the Attorney General; the office of his chief assistant, the Deputy Attorney General; the office of the Solicitor General who, in his fine morning coat, presents the government's position to a sometimes receptive, sometimes not, Supreme Court; the Office of Legal Counsel, who is—let me tell you a secret—my private lawyer (and I need one); the Office of Public Information, which is a rather inflated title for my overworked speech writer.

The legal heart of the Justice Department is the seven law divisions:

The Antitrust Division.

The Civil Division, which represents the United States in most civil proceedings.

The Civil Rights Division.

The Criminal Division.

The Internal Security Division, which, like that other division of the State Department, is rather hush hush.

The Land and Natural Resources Division, which supervises suits relating to real estate claims, waterways and natural resources.

The Tax Division, which, I am sure, you know and I only hope you will never have to know them very well.

There are three very important Bureaus. The FBI, which is the most efficient and most deservedly renowned investigatory body in the world. The Bureau of Prisons, which operates federal correctional institutions. The new Bureau of Narcotics and Dangerous Drugs, for which we have great hopes to finally reverse the tide of addiction in this country.

The Department also has two Services. The Immigration and Naturalization Service which, among its functions, meets you at the airport. The Community Relations Service, which attempts to guide and counsel racially-tense cities so that tragedies may be avoided or at least mitigated.

There are two Boards. The Board of Pardon, whose name speaks for itself, and the Board of Immigration Appeals, which hears challenges to deportation orders.

And then, of course, in addition to the other entities which I do not have time to discuss, there are 93 offices of United States Attorneys spread out around the country who represent the Department in most criminal and civil matters at the trial level, and 93 offices of the United States Marshal.

## THE DEPARTMENT OF JUSTICE: PHILOSOPHICAL STRUCTURE

In its earlier days the concept of the Department of Justice was viewed primarily as that of a prosecutor or defense counsel in individual cases. In general, we took law violators to court when we found them and we proceeded on a case by case basis. We focused on a particular set of facts and on the rights and obligations which arose in a specific situation.

It is becoming more evident every day, however, that our statutory authority covers considerably more cases than we can effectively handle. The question is how can my 2,000 attorneys in the Department of Justice make a significant contribution to the improvement of life of our 200 million citizens.

The answer to this question is that, with our limited resources, we must select priorities—and in selecting them acknowledge that

we are placing the full weight of federal authority behind the cases we choose.

Our priorities today deal with cases which affect the rights and obligations—not only of a single individual—but also of hundreds, thousands, and in some instances, even millions of citizens. It is this concept, of recognizing priorities in view of the massive problems to be solved, that historically and philosophically has placed our Department in an institutional transition.

Our population continues to grow and our economy, continues to expand. I predict that our nation's legal problems may multiply in the next decade even faster than they have in the last. I am sure that, relatively speaking, our legal federal manpower will become smaller and smaller.

Of course I recognize that there will still be those who argue that the most technical violation of federal law should be prosecuted with the same aggressiveness as the most heinous. They contend that a case involving a single individual's rights is as important as a case which would rectify a wrong for thousands. Morally speaking, I suppose they are right. But as Attorney General, I must consider the national mortality and what ends I am trying to achieve with my limited means.

Permit me to give you some examples of three areas in which we find problems all over the nation rapidly outstripping our present resources. These are areas in which the Department of Justice has been forced to select priorities and to consider national goals.

## ANTITRUST AND CONSUMER PROTECTION

My first example is the Antitrust Division. The major responsibility of this Division is to assure the free market competition of goods and services. In recent years, the difficulties of enforcement have been compounded. The law has become increasingly complex and the scope of many cases requires the attention of a dozen lawyers and economists when, in past years one or two lawyers would do.

The Antitrust Division itself was not formally established until 1933. At that time, it had a staff of 67 persons. Last year it had a staff of 528 persons and a budget of \$8 million. This growth in personnel and resources, however, has not matched the growth of the gross national product. The gross national product has increased fifteenfold from 1933 to 1968. But the personnel of the Antitrust Division has increased only half as much. The significance of this disparity need not be belabored.

Under the circumstances, it has become increasingly difficult for the Antitrust Division to keep pace with the demands of our growing nation and to assure a free competitive economy which makes our prosperity possible. To effectively protect the American consumer, the Department of Justice is not only concentrating on traditional price-fixing cases, but is also moving into cases involving marketing structures and especially the structure of pure conglomerates.

The great economic power of such conglomerates and the fact that they operate in many fields of commerce poses a danger to the American consumer. There has been some question as to whether, under existing law, we have the authority to attack the pure conglomerate—a corporation which acquires another in an apparently unrelated field of business.

My view is that, when in doubt, I will give the benefit to the American consumer by attempting to successfully prosecute pure conglomerates. If the courts defeat our attempt, we will ask for new legislation. It is the American consumer, whose interest in the end, the Antitrust Division is seeking to protect.

Our priority, therefore, is the major economic problems of the day and their rela-

tionship to citizens all over the country. Of course, we could spend our time searching around for smaller companies who may be in violation of traditional price-fixing laws. But with our limited resources, we plan to focus our efforts on key issues confronting our competitive economy. We must seek benefits for two-hundred-million consumers rather than fragmenting our efforts on 200 small cases.

## SUPPLEMENTARY HELP FROM THE STATES

What is needed, obviously, is help—the kind of help that the federal government alone cannot provide to protect the consumer. The most obvious source of this help is the states—some of whom have already enacted consumer protection or antitrust legislation.

Since the beginning of this new Administration, we have maintained that the basic responsibility for the welfare of our citizens lies with the states and their subdivisions. The federal government will lead the way in difficult areas such as the conglomerate merger and in the more traditional areas such as major nationwide price-fixing. For here, the states may not have the manpower, investigative facilities, or the concentration of experienced legal talent to prosecute such difficult cases.

However, we hope that the states will follow our path in consumer protection and in the other areas I will discuss today. For example, we urge that the states make a substantial commitment to the protection of the national economic integrity in insuring free competition in local industry.

The Department of Justice has already started making the states more of a partner in federal law enforcement on all fronts. Three weeks ago, the State Attorneys General met in Washington. We told them that we would cooperate with them and exchange information in a number of areas including, in the antitrust field, the treble damage actions. We assured them that we would work closely with them and would, at every opportunity, give them guidance, and if possible, funding for consumer protection.

You see, I believe it is just as much a crime to deny a poor child an adequate diet because restraints on competition have made his food more expensive than his family can afford, as it is to strike that child with a stick in violation of the traditional criminal law. I urge the states to pass effective consumer protection codes and antitrust legislation if they do not have them; and if they do have such codes, to strengthen them wherever possible. Also I suggest that the states implement this legislation by establishing statewide consumer protection bureaus.

I urge the states to consider whether an empty stomach month after month may not damage a child as much as physical abuse.

## CIVIL RIGHTS

The second area which I would like to discuss is civil rights. The Civil Rights Division was founded on September 9, 1957, under Attorney General Brownell. Its founding was a most important commitment by the Department of Justice to negroes and other minority groups. In 1957, it had 30 lawyers and a budget of \$500 thousand. This year, it has 106 lawyers and a budget of \$3 million.

But this question remains. How can a Division with only 106 attorneys effectively enforce all the federal civil rights laws. I know that not a week passes in this nation when our black citizens, be they lawyers or laborers, are not subjected to some aspect of racial discrimination. Much of this discrimination is subtle and may never be reached by the government.

But there remains massive legal discrimination against minorities. They are illegally segregated in schools. They are discriminated against by unions and industry. They are crushed into teeming ghettos and denied the ability to purchase adequate homes.

E1864

## CONGRESSIONAL RECORD—Extensions of Remarks

March 11, 1969

I have pledged to enforce the civil rights laws and the civil rights protections in the Constitution vigorously. I do this to insure that all Americans can share equally in our prosperous and promising nation.

In the field of civil rights, we have chosen housing, education and employment as the three priorities of our Civil Rights Division. And even within these areas, we must use our resources selectively.

For example, in the education field alone, we are involved with more than 200 school districts in about 150 law suits. If we are to eliminate racial discrimination, we need the help of the states. We urge the states to pass effective civil rights legislation; and if, like New York and Massachusetts, for example, they have such legislation, to strengthen their laws wherever possible. We urge the states to establish statewide civil rights divisions.

The federal government will, as it has in the past, continue to lead the way in new areas of the law and in massive cases of discrimination. But the time has now come for the states to look carefully at their own subdivisions.

They must be aware that there are many impoverished negroes and other minority group citizens who are subject to discrimination which cannot be handled by the federal government. These citizens cannot afford the lengthy litigation of a civil rights case and they may not even be aware of their right to demand equality.

In noting that the government should lead the way, let me mention one area which we are now considering. It is racial fairness in the market place—especially the money market place. There is ample evidence to indicate that many fields of commercial transactions discriminate against the minority borrower. Here is an area where we also believe state civil rights efforts could be extremely successful.

## THE CRIMINAL DIVISION—ORGANIZED CRIME

The last Division I will discuss today is the Criminal Division and I am advised that it is impossible to fix a date for its establishment.

The Criminal Division has today 177 attorneys and a budget of \$4.2 million. It handled, last year, 6700 cases and 6600 evaluations of investigations and other matters.

Given its broad jurisdiction over most of the federal criminal law, it could, on any given day, recommended dozens of prosecutions for petty crime. And yet, five years from today, what impact would misdemeanor prosecutions have on the nation as a whole. On the other hand, I can select a priority, a legal and moral symbol for the nation and employ my resources against crime to the fullest.

During the coming year, there will be two priorities for the Criminal Division. The first is organized crime. I will spare no effort to attack the nationwide organization of racketeers who corrupt our youth with illegal narcotics, who taint our public officials with bribes and corruption, who pervert the outstanding ideals of the labor union movement, who employ murder and torture to collect their debts, and who, in a very real sense, prey mainly on the poor and less educated segments of our population.

To be effective, we must launch a nationwide campaign against organized crime with all the weapons at our disposal. For example, we will engage in wiretapping in order to obtain evidence, which we might otherwise not have, to prosecute these syndicates which reportedly take in more than \$50 billion a year. Another tool at our disposal is the Strike Force which we are now reorganizing and greatly strengthening. These Strike Forces are a unique concept of governmental law enforcement. They are composed of representatives from the FBI, several divisions in the Justice Department, the Internal Revenue Service, the Labor Department, and

Customs. This interdepartmental unified approach has proved extremely successful and in one city alone, we have been able to obtain 30 indictments in an attempt to weaken an organized crime syndicate.

But organized crime is probably too widespread to be completely eliminated by the Department of Justice. Indeed, most experts in the field believe that it cannot exist without the cooperation or apathy of local law enforcement officers. It should be a prime local responsibility and we urge the states to pass comprehensive laws against organized gangsters. Also we urge the states to establish statewide organized crime divisions which will have substantial resources to staff their effort.

Similarly, we strongly advise that if the states allow wiretapping, that they will pass laws and regulations which will insure the closest supervision. They must decrease to a minimum any unnecessary invasions of homes and offices.

## DEPARTMENT OF JUSTICE—LAW ENFORCEMENT ASSISTANCE ADMINISTRATION AND STREET CRIME

A second priority in the criminal field is street crime which is, in many ways, the opposite of organized crime. It is disorganized crime, exploding with unpredictable viciousness and frequently without the cool reasoning of an experienced gangster. The latest FBI statistics show that serious crime in the United States increased 17 per cent in 1968 over 1967. This is an area where the federal government has little enforcement power. Here as in no other area we must rely on the states for their cooperation. As Attorney General I can tell you that street crime and the fear of street crime is changing the fabric of our society—that crime is crushing us. The fear of crime is forcing our citizens to change their traditional living patterns, to stay off the streets at night, to shy away from helping strangers, to be distrustful and insecure in their own neighborhoods.

Our federal leadership in the war against street crime will come from the Law Enforcement Assistance Administration.

It has a 300 million dollar authorization for the next fiscal year, most of which will go to the states in block grants. We hope that a majority of the money available to the states and the communities through LEAA will be used, in one form or another, to attack street crime.

We need more police and they must be better educated and trained. We need, in most cities, better juvenile facilities and education programs to stop our youth from turning to the streets. We need more efficient justice so that those who are arrested will be tried promptly and either convicted or acquitted. We need a complete overhaul of most state prison systems with rehabilitation facilities, psychiatrists and social workers to assure that the prisoners of today will not be—as 4 out of 10 are expected to be—the prisoners of the future.

We hope that the states, in attempting to solve our national crime problem, will invite private industry and non-profit organizations to participate under the guidance of government officials and professional organizations. The voluntary sector offers an enormous reservoir of money and manpower to help in non-policed functions such as juvenile programs, narcotic rehabilitation programs and work re-training programs for prisoners.

## CONCLUSION

Protection for the consumer, protection for the minority group, protection for the law-abiding citizen from street crime and organized crime—these are three priorities of my Department and they should be the three priorities for America.

The federal government will lead the way but it cannot succeed without the cooperation and help of the states. With this cooperation we will succeed. Without it, I warn

you, we only face the increasing prospect of tragedy. However, I am optimistic that with my 2 thousand lawyers, with help from the states, and with your help, that we will make a significant contribution to the improvement of life for two hundred million Americans during my tenure in Washington.

*Chapman*

JACOB BEAM: OUR MAN IN MOSCOW

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. RARICK. Mr. Speaker, James Kilpatrick, in his column appearing in the Evening Star for March 9, raises apprehensions regarding Mr. Beam's suitability as our Ambassador to the Soviet Union.

Unfortunately, Mr. Beam did not have the opportunity to dispel the suspicion and doubt surrounding his nomination at the hearings held by the Senate Foreign Relations Committee.

The American people would hope the Senate will remand Mr. Beam's nomination to the Foreign Relations Committee so that some of these serious questions can be answered.

Mr. Speaker, I include a copy of the testimony before the committee, taken from the official transcript, Mr. Kilpatrick's column of March 9, and an excerpt from my article in the RECORD of March 3, at page E1558 consisting of a report from the Government Employees Exchange following my remarks:

COPY OF TRANSCRIPT ON THE HEARINGS OF JACOB BEAM BEFORE THE SENATE FOREIGN RELATIONS COMMITTEE

CHAIRMAN. Mr. Beam, would you for the record very briefly state how long you have been in the Foreign Service and you know the usual.

Mr. BEAM. Sir, I came in in 1931, in June 1931.

CHAIRMAN. And how many posts have you served in? Do you have some of those things for the record, for the information of the Committee?

Mr. BEAM. Yes, sir.

CHAIRMAN. Could you state very briefly where you were, the principal posts?

Mr. BEAM. Yes, first in Geneva then Berlin then London, the State Department several times. Then the Netherlands Indies as it then was, became Indonesia; Yugoslavia, the Soviet Union.

CHAIRMAN. In what capacity in the Soviet Union?

Mr. BEAM. I was Charge d'affaires ad interim.

CHAIRMAN. When?

Mr. BEAM. Through, 1952 through 1953.

CHAIRMAN. Do you speak Russian?

Mr. BEAM. Yes, sir, I have a working knowledge.

CHAIRMAN. Yes. And you were there in 52-53? What is your most recent visit to the Soviet Union?

Mr. BEAM. I haven't been back there since 1953.

CHAIRMAN. '53?

Mr. BEAM. Yes, sir.

CHAIRMAN. Where have you been serving for the last few years?

Mr. BEAM. I have been in Czechoslovakia for the last 2½ years.

CHAIRMAN. How many positions have you served in as Chief of Mission?

Mr. BEAM. It is 3. Three, sir. Poland—I beg your pardon, two, Poland and Czechoslovakia.

March 11, 1969

## CONGRESSIONAL RECORD — Extensions of Remarks

E1865

CHAIRMAN. Poland and Czechoslovakia. This will be your third?

Mr. BEAM. Yes, sir, if confirmed.

CHAIRMAN. Would you, I don't know whether I should ask you this or not, you use your own judgment if you would like to say a few words about the conditions in Czechoslovakia where you so recently served.

Mr. BEAM. Well, sir, they have gone through a very tragic experience and they are having difficulties right now. The struggle, I don't think is over yet, it is an internal political struggle which is going on of great interest to the world.

CHAIRMAN. I assure you are very conversant with conditions in the Soviet Union at present, aren't you?

Mr. BEAM. Not recently. I have not been there since 1953.

CHAIRMAN. Don't you follow those events with great interest?

Mr. BEAM. I do, yes, sir. On the periphery we do.

CHAIRMAN. Don't you consider our relations with the Soviet Union of greatest importance?

Mr. BEAM. Yes, sir, I do.

CHAIRMAN. And I hope you will be able to improve them. Do you think you can?

Mr. BEAM. I hope we can, sir, while maintaining our own interests, of course.

CHAIRMAN. Well, of course, that is your main objective of this operation. Senator Sparkman?

Senator SPARKMAN. Mr. Chairman, I have no questions. I think Mr. Beam has performed wonderful service in his long years that he has been in the Foreign Service, and I wish him well in this most important post to which he is going.

CHAIRMAN. Senator Mundt.

Senator MUNDT. I am glad the Chairman brought up this matter of residence of the ambassadors we have. I said to our friends from New Jersey and New York I was aware of the imbalance to the point where they publically gloat about it, and you are looking at one Senator who is about to run out of yes votes for ambassadors. I have already told Mr. Annenberg I would vote for him, and I will vote for John Eisenhower and I don't know why I should victimize you, but I think the White House and State Department should learn if we are going to have an adequate appropriate and effective understandable and acceptable foreign policy the time has come when the central part of this country should get their fair share of ambassadors. When it has gotten to the point where representatives of eastern states publically gloat about the monopoly they have, this message should be heard loud and clear in the State Department and in the White House.

Senator JAVITS. Mr. Chairman, will the Senator yield?

Senator MUNDT. I want to finish what I have to say. You have done your gloating.

Senator JAVITS. I am sorry, sir.

Senator MUNDT. And I accept it, as well justified.

Senator JAVITS. That is what I object to most strongly, if I was, I was not conscious of gloating. I apologize.

Senator MUNDT. Don't apologize, I want it in the record. I appreciate it.

Senator JAVITS. I didn't intend to and I think the Senator is wishing something on it.

Senator MUNDT. That is the word. Under which ambassadors have you served, Mr. Beam?

Mr. BEAM. Sir, my first ambassador was Mr. Dodd in Berlin, Mr. Cochran in Indonesia, Mr. George Allen in Yugoslavia, and Mr. Bohlen very briefly in the Soviet Union.

Senator MUNDT. You were in Czechoslovakia, were you, at the time of the invasion?

Mr. BEAM. Yes, sir; I was.

Senator MUNDT. From your knowledge of Czechoslovakian affairs do you see any justification whatsoever for this invasion which the Russians took?

Mr. BEAM. No, sir.

Senator MUNDT. Nor do I. I have no other questions.

CHAIRMAN. Senator Pell.

Senator PELL. Thank you, Mr. Chairman. As a longtime friend of the ambassador, it is hard to be objective but I am sure we know he will do an excellent job. And as one who descended upon him in Czechoslovakia three times in the last ten months I find my familiarity with him has increased and my respect and regard, too. I wonder if as a kind of valedictory you had any thoughts as to how we could help in Czechoslovakia? Do you believe it a good idea to focus public attention, if it were put there with resolution of the gold problem and maybe some steps taken toward the most favored nation treatment toward that unfortunate country in order to try to keep the channels of economic and cultural access open even though the political channels have been closed?

Mr. BEAM. Yes, sir, I believe in that very strongly, yes, sir. I think the increase in trade with Czechoslovakia is now important so we can get some money on those claims, we have a large amount of claims due us for nationalization of our property.

As regards the political and cultural situation I think exchanges should continue as a means of encouragement for them to maintain their identity and sovereignty, and I hope we can continue along these lines.

Senator PELL. I know it is the opinion of Czechoslovakia, at least of their government, that we have sort of lumped them in the outer world, we have cut them off from us and we are not interested in them, and I would hope this opinion could be corrected. I think the problem has been the focus of public opinion has been, on the more spectacular events in Czechoslovakia but not in the fact that Administrations have sought to keep these channels open and that we are doing the best we can in this regard and I think this to be a good forum to France, if you would agree with that statement, to enlarge on it.

Mr. BEAM. Well, I do agree with that, and I think in the time that I have been there, which is 2½ years the situation has changed in our favor and they found out we are a friend of their countries.

Senator PELL. Not only that but in favor of the Czechoslovak peoples, too.

Mr. BEAM. Yes, sir.

Senator PELL. Thank you. The other question in connection with your new post, we are particularly fortunate that you should be going from Czechoslovakia where you have seen the Soviets in action to Moscow but do you feel that you will be able—that you yourself might suffer from a certain subjective view from having seen them at their worst and will be able—to have an objectivity about the Soviet position there?

Mr. BEAM. Well, it is something which, of course, I can not forget, but if I go to Moscow I will be representing the United States government and not the Czechoslovak government.

Senator PELL. Thank you very much, I am really so pleased with this appointment. I think we are doing very well.

CHAIRMAN. Senator Case, do you have anything further?

Senator CASE. Only this, Mr. Chairman, I am so happy that the excellency of this appointment has made it possible for us to indulge in even a surface friendly rivalry here on the Committee. It is an excellent appointment and I may just, having said that, and meaning it very deeply, refer back to a man from another Dakota, who used to be, I think, he certainly was, a Member of the Senate, whether a member of this Committee or not I am not sure, our great friend, Bill Langer, whose chief song was They never got an appointment from North Dakota, and

his outrage was such and so well-expressed that I am sure it was one of the factors that led to his reelection in his native state regularly like striking a gong.

Senator MUNDT. Will the Senator yield?

Senator CASE. I will be happy to yield.

Senator MUNDT. That is something else that led to the appointment of Tommy Wayland to Nicaragua.

Senator CASE. It led to something else, too, that his daughter lives in my state of New Jersey. Shows there is good stuff in that family. Thank you very much.

CHAIRMAN. Senator Javits.

Senator JAVITS. Well, Mr. Chairman, I didn't mean to cause a stir in Committee. I was not just gloating, and I don't and Mr. Beam certainly is not a resident of New York. But I do think it is pertinent to say a word about what Senator Mundt very feelingly, and I can understand it. I would be a very strong advocate of doing our utmost to recognize talent and high quality in his state or in any other in the U.S. I must say, however, that I would be equally against the idea of appointing second-raters because we want to make for geographical diversity to ambassadorships of the U.S. and that is the only reason I spoke. Perhaps I am too serious but I have the greatest affection for my colleague and the greatest feeling for what he has said, and I would be the first to vote authority and money for international education courses in any of the universities.

Senator MUNDT. We are not a backward state. We don't need the money coming from New York. I just want a chance for our capable people to have a chance to be ambassadors.

Senator JAVITS. I don't want to make it worse.

Senator MUNDT. Now, you are italicizing the gloat.

Senator JAVITS. And I certainly approve of Ambassador Beam. I am sorry that he, as a dignified diplomat is the innocent butt.

Senator CASE. Which the Chairman started, by the way.

CHAIRMAN. I started? I was just commenting on a fact as it has developed. I hope the Senator from New York wasn't suggesting that people from that great and rich and powerful state gloat without being conscious of it.

Senator JAVITS. Well, I wasn't conscious of it, Mr. Chairman. So I suggested just that.

CHAIRMAN. Mr. Beam, do you have anything further to say?

Mr. BEAM. No, sir.

CHAIRMAN. Well, we congratulate you on your long and distinguished service in the Foreign Service and wish you well. It is a difficult post. I hope your health is good.

Mr. BEAM. Thank you.

CHAIRMAN. How old are you?

Mr. BEAM. Sixty-one this month.

CHAIRMAN. You are getting along, but that is about right. (Laughter)

Thank you very much, Mr. Beam.

Senator CASE. He is at the peak of his powers.

CHAIRMAN. You don't look that old.

Mr. BEAM. I don't feel it either.

[From the Washington (D.C.) Evening Star, Mar. 9, 1969]

## JACOB BEAM: OUR MAN IN MOSCOW?

Concern is being voiced on Capitol Hill these days at the President's nomination of Jacob D. Beam to serve as U.S. ambassador to the Soviet Union. Before the gentleman is confirmed, several Senators propose quietly to inquire into a troublesome time in his career.

On paper, and perhaps in fact, Beam is well qualified for the Moscow assignment. At 60, he has spent 38 years in the Foreign Service. He began as a clerk in the U.S. consulate at Geneva, in the days of the League of Nations; he moved on to Berlin for a six-year stint; served in London during most of the war; did a tour of duty as consul general

E1866

## CONGRESSIONAL RECORD — Extensions of Remarks

March 11, 1969

in Java, and spent seven months in 1952-53 in Russia.

In August of 1957, Beam arrived in Warsaw as American ambassador to Poland. He was to serve in this assignment until he returned to Washington in the fall of 1961. He resigned his post, and then was appointed assistant director of the U.S. Arms Control and Disarmament Agency. In 1966 he became U.S. ambassador to Czechoslovakia. Mr. Nixon's proposal is to shift him now to the most important and sensitive chancery of them all, the U.S. embassy in Moscow.

The nomination may be entirely in order. All the same, members of Congress remember the disarming sex and spy scandals that occurred in the Warsaw embassy during Beam's administration there. A number of Senators are concerned at the prospect of having him serve as ambassador in the very center of Communist intrigue.

The story of those Warsaw days is as fantastic as any tale ever contrived by Ian Fleming for his fictional James Bond. To judge from various printed hearings and other published material, Communist intelligence agents infiltrated Beam's embassy as merrily as a swarm of termites boring holes in a tasty log.

Irvin C. Scarbeck, second officer of the embassy, was among those who succumbed to the age-old lure of a beautiful woman. He fell in love with a 22-year-old blonde, Ursula Discher. The presumption is strong that she was an agent of Polish intelligence. In any event, Ursula set him up for a raid that led to blackmail; this led in turn to the theft of classified documents. Scarbeck was caught, indicted, convicted and sentenced at first to 30 years in prison. Later the sentence was reduced. It was a sensational case.

Scarbeck was not alone in female involvements. A detachment of Marine guards, assigned to the embassy, engaged in wholesale revels with Polish girls. The wife of a middle-rank embassy employee had an affair with a Russian agent. A code clerk implicated in an illicit relationship was "permitted to resign."

It was during Beam's tenure that construction began on the new \$1.6 million American embassy. The ingenious Poles succeeded in bugging the building from the ground up. Eventually, some 40 concealed microphones—including a mike in the code room itself—had to be dug out of the walls by a team of Seabees.

Guy Richards, in "Imperial Agent," and Clark Mollenhoff, in "Despoilers of Democracy," have dealt with the Warsaw intrigues. All told, more than a dozen embassy employees were compromised. Mollenhoff has written that "the near total destruction of security in the U.S. embassy in Warsaw was a frightening demonstration of how the Communists could effectively bore inside an American embassy." Other publications, notably the Government Employees Exchange here in Washington, have carried sensational accounts of the intricate webs that were woven by Polish intelligence agents.

None of the published material raises any question of Beam's loyalty. No one doubts his expertise in European affairs. He is given high marks for his performance in Prague during last year's invasion by Soviet troops. He speaks fluent Russian. Nevertheless, there are unmistakable stirrings in the Senate. Beam may be the right man for the vital Moscow assignment; but then again Senators are saying, he may not.

#### POWER STRUGGLE LOOMS OVER BEAM, OTEPKA, SONNENFELDT BETWEEN CONGRESS, STATE

A "violent storm" is brewing between the Nixon administration and Capitol Hill over the failure of the President and his Department heads to extend normal consultation courtesies to Senators and Congressmen, this newspaper was informed on February 15. Although the "storm" already encompasses more than one Department, it is becoming

sharpest between the State Department and Capitol Hill over the issue of "excessive privilege" as defined by Secretary of State William F. Rogers, the informant said.

The first lightning flashes have already been seen privately in the tone of the letters between Capitol Hill and the White House concerning Ambassador Jacob Dineley Beam, whom Secretary Rogers is supporting for the position of the next U.S. Ambassador to Moscow, the source claimed.

The first reaction from the White House to the letters was "pained surprise" that the personnel dossier on Ambassador Beam sent to the President by the State Department did not contain such material on him as that which *The Exchange* had published more than a year ago, the informant stated.

#### JACOB BEAM

As readers of this newspaper will recall, Jacob Dineley Beam was the American Ambassador at Warsaw during the outbreak of the notorious "sex and spy" scandals there in 1959-1961. Included in these scandals were Foreign Service Officer Erwin Scarbeck who delivered secret documents to the Polish authorities after he was surprised and photographed naked in bed with his mistress, Ursula Discher. Mr. Scarbeck was subsequently convicted by a Federal court in Washington, D.C. and was sentenced to prison. Ambassador Beam testified during his trial.

Another Foreign Service Officer, Thomas A. Donovan, was also named during the hearings of the Senate Internal Security Subcommittee as having had sexual relations with Polish female intelligence agents. This newspaper reported that, although the State Department wished to re-assign Mr. Donovan immediately to Washington after his "liaison" was discovered, Ambassador Beam arranged with his former Princeton College "old school tie" classmates, Ambassador E. Allen Lightner Jr. and Foreign Service Officer Howard Trivers, to have Mr. Donovan transferred instead to Berlin, Germany, where Ambassador Lightner was chief of mission and Mr. Trivers was his Deputy Chief.

In Berlin, Mr. Donovan was placed in charge of the Eastern Affairs Division, which had supervision over all reporting concerning East Berlin, and East Germany. In this role, Mr. Donovan received official documents recording telephonic intercepts by American intelligence officers of telephone conversations made between West Berlin and East Berlin and East Germany.

#### THOMAS A. DONOVAN

Because of his knowledge that these telephone intercepts were being made, Mr. Donovan went to Communist East Berlin to evade the telephonic monitoring of his own unauthorized telephone calls to Polish friends in Warsaw. These included his "girl friend" and such Polish officials as Jerry Michalowski, then the Director General of the Polish Foreign Ministry and today the Polish Ambassador in Washington, D.C.

During one of these telephone conversations, Mr. Donovan requested Ambassador Michalowski to instruct the Polish Military Mission in West Berlin to issue a visitor's visa to Mr. Donovan without the prior knowledge of American diplomatic officers in Warsaw so that Mr. Donovan could proceed there without their previous authorization. The Polish Military Mission honored the instruction of the Polish Foreign Ministry and issued Mr. Donovan the visa he desired.

When Foreign Service Officer Stephen A. Koczak reported these telephone calls to Foreign Service Officer Howard Trivers and to Ambassador E. Allen Lightner Jr., they accused him of trying to "stab Donovan in the back" and did not convoke any board of inquiry to ascertain the truthfulness of Mr. Koczak's allegations. Instead, they informed Mr. Donovan of Mr. Koczak's reports to them about him. Subsequently, Messrs. Donovan, Trivers, and Lightner destroyed the original

pages of the efficiency report they had written in 1961 on Mr. Koczak, forged substitute pages, backdated these and inserted them into his efficiency report as if they had in fact been the original pages. In addition, Ambassador Lightner wrote an "Additional Reviewing Statement" to the effect that Mr. Koczak had read the entire report and had, in the course of interrogation, admitted to "tale bearing" and one instance of "intrigue" against Mr. Donovan. Mr. Kuczak has repeatedly denied having made any such admission; he also denies ever having read the altered efficiency report prior to its dispatch to the State Department.

Despite Mr. Koczak's denials, he was fired by the State Department under the procedure of "selection out," a process which denies any formal appeals procedure to officers and does not permit confrontation and cross-examination.

Mr. Koczak's attorney, Marion Harrison, has repeatedly asked the State Department for admission or denial of these facts and, to date, the State Department has refused to comment on them.

#### SOVIETS BREAK CODES

Another "disturbing item" in the letters of the Senators to President Nixon concerning Ambassador Beam, the source continued, was the charge that the Soviet Union broke the "top secret and secret" codes of the United States by implanting "listening devices" into the bricks ordered from Yugoslavia for the new American Embassy building built in Warsaw during the incumbency there of Ambassador Beam.

#### ELMER DEWEY HILL

After the Embassy's walls were erected, an "electronic survey" was conducted by State Department security electronics technician, Elmer Dewey Hill, to detect and eliminate any "bugging" devices. Mr. Hill found none. Thus the Soviet and Polish intelligence agencies successfully recorded the reading of the texts of American top secret and secret codes by the code clerks while doing the encoding and decoding. Subsequently, by comparing these with the transmitted messages, the Soviet Union broke the codes. This resulted in the breaking also of the major codes of the United States in messages being sent to Germany, Italy, France, England and Japan. Central Intelligence Agency telegrams and communications were "broken" in the same manner by the Soviet Union, the source revealed.

#### OTTO F. OTEPKA

Elmer Dewey Hill was subsequently instructed by Deputy Assistant Secretary of State for Security, John Reilly, to "bug" with the assistance of Clarence Jerome Schneider, the telephone and office room of Otto F. Otepka, the State Department's top security evaluator, the source continued. Mr. Hill later denied under oath that he had had this role but when George Pasquale, a friend of Mr. Otepka, obtained an admission from one of the participants Mr. Hill recanted and admitted he had lied under oath. Subsequently, Mr. Reilly also recanted and both he and Mr. Hill resigned from the State Department.

A lawyer and protege of the late Senator Robert F. Kennedy, Mr. Reilly subsequently was given a job as a "hearing officer" with the Federal Communications Commission at the same salary he had before.

Mr. Otepka, on the other hand, was demoted and reprimanded by Secretary of State Dean Rusk for having told the truth "without authorization," to the Senate Internal Security Subcommittee.

#### WILLIAM P. ROGERS

The informant revealed further that Secretary Rogers was very upset about the attempt of the three Senators to influence President Nixon through correspondence to change his mind about appointing Ambassa-



March 11, 1969

CONGRESSIONAL RECORD—Extensions of Remarks

E1867

dor Beam to Moscow. Secretary Rogers is known to have been personally very critical of the role Mr. Otepka played in cooperating with the Senate Internal Security Subcommittee and for "telling the truth" without authorization. According to the source, Secretary Rogers is of the firm opinion that Mr. Otepka should have refused to answer the questions posed to him by Julian Sourwine, the Subcommittee's chief counsel, on the grounds of "executive privilege", a doctrine which Mr. Rogers espoused and expanded during the Eisenhower administration when he was Attorney General.

As this newspaper reported in its February 5 issue, Secretary Rogers has already vetoed President Nixon's election promise to re-examine the Otto F. Otepka case. On January 21, he informed Mr. Otepka, through intermediaries, that he would not allow Mr. Otepka back as an "active security officer". He also asked Mr. Otepka to indicate to him any other "alternative remedy" on the understanding Mr. Otepka would not remain in security work. Mr. Otepka's terms were communicated to Secretary Rogers through intermediaries, in the form of a memorandum, January 24, ostensibly addressed to Mr. Otepka's lawyer, Roger Robb.

The source revealed that Mr. Rogers chose this course of action in regard to Mr. Otepka because he is aware that the Senate Internal Security Subcommittee is planning new hearings on State Department security. The reinstatement of Mr. Otepka to security work would be hailed by the public and the Senate Internal Security Subcommittee as an admission by the State Department that "executive privilege" could not be invoked by it in forbidding its employees to "tell the truth" during testimony before Congressional Committees. Thus Secretary Rogers could not refuse "authorization" in the future to any State Department employee to testify truthfully and fully under oath on State Department practices.

Regarding Mr. Otepka, Mr. Rogers was reported saying he feared especially that, if re-instated and again ordered to testify under oath, Mr. Otepka would again proceed to tell the Subcommittee the "truth" about the current state of the State Department's security clearance program, including such matters as the disappearance of classified information from the security files of Ambassador Jacob Beam and of Helmut Sonnenfeldt, until January 20 an employee of the Department of State. Mr. Sonnenfeldt, about whom controversy is raging secretly within the intelligence and security communities, was recently appointed by Dr. Henry Kissinger to join him on the staff of the National Security Council located in offices next to the White House.

#### EXECUTIVE PRIVILEGE

As defined and expanded by Secretary Rogers when he was Attorney General, "executive privilege" is the doctrine that the executive branch of the government has the "right to refuse" to give Congress any document that includes either an advice, a recommendation or a conclusion. These documents therefore include all personnel actions involving the selection, promotion, demotion, transfer, dismissal or reprimand of any federal employee, if such action involves advice, recommendation or a conclusion from or by any federal officer.

Although he admitted as Attorney General that the Constitution did not explicitly give the executive departments such "power to refuse", Secretary Rogers nevertheless contended the executive branch had "an inherent right" to refuse to give testimony or produce records. In fact, he went much further and insisted that Congress could not even pass a law to require or force the executive department to produce such records, and that any such laws already on the books were not binding on the executive branch. In short,

under this interpretation by Attorney General Rogers, Congress was impotent versus the "executive privilege", even if it was being invoked to "protect" or to "cover up" or to "white wash" executive actions.

In addition, Secretary Rogers claimed that the so-called independent regulatory agencies, including the Federal Communications Commission, the Securities Exchange Commission, the Federal Trade Commission, the Federal Power Commission, also had the "right" to invoke "executive privilege."

On the basis of this extreme definition of "executive privilege", no Federal employee would have the "right" to "tell the truth" or produce records on any substantive subject unless he had the prior approval or "authorization" from his superiors, the source commented.

#### CONGRESSIONAL RIGHTS

The doctrine of "executive privilege", as espoused by Mr. Rogers when he was Attorney General and as he is now re-asserting it to President Nixon in the cases of Ambassador Beam, Otto Otepka and Helmut Sonnenfeldt, is expected to lead to a "Constitutional storm and crisis" in the next six months, the source said, "unless President Nixon backs away from this exaggerated claim of executive privilege". Either Secretary Rogers will have to change his point of view radically or the battle between the legislative and executive branches of the Federal Government will become "irrepressible", the source concluded.

JUDGE M. E. McCONNELL

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. FLOWERS. Mr. Speaker, Sumter County, Ala., which comprises part of my congressional district, has recently lost one of its most respected citizens in the death of Judge M. E. McConnell.

Editor Dick Smith, of the Sumter County Journal, has very eloquently expressed the thoughts and feelings of the community. I am pleased to spread his tribute upon the Record:

"The law of the Lord is perfect, converting the soul; the testimony of the Lord is sure, making wise the simple."—Ps. 19:17.

That verse from the Great Book certainly reminds us of the active life of the late Judge M. E. McConnell. The earth swallowed him up last Sunday afternoon . . . but nothing can ever take his memory from those who knew him nor the history he made in Sumter County, Ala.

As depicted by the verse, he always kept life in focus.

He was a public servant, an elected official, a person truly interested in his fellowman and our children's education. He was a sportsman, a merchant, a cattleman, a humanitarian, a Christian of the first order.

He was further a legend in his own right. Judge McConnell, a one-time Tennessee Vol football player, will be remembered by all who knew him during his very active life. A probate judge, a senator, a mayor, a sportsman, he was always active in civic affairs.

He was the kind of man right to his death who would "teach" his listeners by the very fact they would listen.

There is a football field named for him in Livingston . . . there is a street named for him in York. Most of all, there are literally thousands of good people who will, down through the years, be praising him for what he was.

GENERAL KRZYZANOWSKI AND THE BATTLE OF GETTYSBURG

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. DERWINSKI. Mr. Speaker, the centennial commemoration of the Civil War produced a great deal of historic research which enlightened us about this epic struggle in American history. One of the historians who produced extensive material in conjunction with Civil War commemoration was Dr. Edward C. Rozanski, Midwest coordinator of the American Polish Civil War Centennial Committee.

He called attention to the fact that numerous officers and men of Polish descent, many of whom had fought in the battles against the Russian and Prussian oppressors of their land, made significant contributions to the Union Armies' successes.

The latest article of significance covering the Civil War which was carried in the February 1, 1969, Polish American, Chicago, is a very dramatic report by Maj. Gen. Charles G. Stevenson, U.S. Army, retired, discussing action at the Battle of Gettysburg:

GENERAL KRZYZANOWSKI AND THE BATTLE OF GETTYSBURG

(By Maj. Gen. Charles G. Stevenson, U.S. Army, retired)

In early 1863, General Vladimir Krzyzanowski's brigade was assigned to the 3rd Division of Major General Carl Schurz in the newly constituted XI Corps, (Major General O. O. Howard Commanding of the Army of the Potomac).

At Gettysburg on July 1, 2 and 3, 1863, the regiments of Krzyzanowski's Brigade (2nd Brigade, 3rd Division, XI Corps) were the following, 58th New York Volunteers, 119th New York Volunteers, 75th Pennsylvania Volunteers, 82nd Ohio Volunteers, 26th Wisconsin Volunteers.

#### GENERAL KRZYZANOWSKI AT GETTYSBURG

Now I would like to sketch briefly what Krzyzanowski's brigade did on July 1, and 2, 1863, the first two days of the crucial battle of Gettysburg. I think General Krzyzanowski and his brigade made outstanding contributions to the famous battle which are generally overlooked. Krzyzanowski's brigade had 669 killed, wounded and missing in the battle.

#### FIRST DAY OF THE BATTLE

Map. No. 1, which I have prepared, is a rough sketch showing the position of Krzyzanowski's brigade, north of Gettysburg on the afternoon of July 1, 1863. It also shows the location of the other troops of the XI Corps on the right and left of Krzyzanowski. Krzyzanowski's brigade was in the center of the corps position. The sketch also shows the general line of the 1st Corps on Seminary Ridge on the left of the XI Corps. Also shown is the location of the Confederate troops which attacked the XI Corps.

You will note that the Confederate unit which attacked Krzyzanowski's brigade was the brigade of Brigadier General George Doles. These were Georgia troops and seasoned veterans.

General Doles was one of the outstanding brigadiers in the Confederate Second Corps (which was Stonewall Jackson's old Corps) of the Confederate Army. The second Corps was commanded in the Battle of Gettysburg by General Ewell, Stonewall Jackson having

E1868

## CONGRESSIONAL RECORD — Extensions of Remarks

March 11, 1969

been mortally wounded at Chancellorsville on May 2, 1863.

As the battle progressed the XI Corps was driven back by the superior numbers of Ewell's Confederate Corps which were much stronger in numbers than the Federal Corps.

Doubleday's 1st Corps also was compelled to retire but both Federal Corps inflicted heavy losses on the Confederates and succeeded in saving the high ground along Cemetery Ridge for the main Union Army to form on and on which it won the final battle on the third day. Krzyzanowski's brigade put up a staunch fight as it withdrew through the town of Gettysburg and took position on Cemetery Hill, south of the town.

Krzyzanowski's brigade did its share to let the Confederate General Ewell know that he had been in a fight. Rodde's division of Ewell's Corps, which included General Doles' Georgia brigade, had 3,000 casualties out of 8,000 men. Not all of the casualties were at the hands of Krzyzanowski's brigade, of course. The fact is that Ewell showed no great eagerness to press the advantage that he had won. He did not continue the attack in the late afternoon and evening of July 1. He was content to stop in the southern part of the town, and wait until he got positive orders from General Lee for a general attack.

Many military experts, including Mr. Bruce Catton, Chairman of the New York Civil War Centennial Commission, as stated in his book "Glory Road," think that if Ewell had carried through his attack, he probably would have taken Cemetery Hill during the evening of the first day. But, due to the resistance he had met from the I and XI Corps, including General Krzyzanowski's brigade, Ewell was in no condition to press the attack any further on that day.

## SECOND DAY OF THE BATTLE

The second map shows the position of Krzyzanowski's brigade on Cemetery Hill on July 2nd. Here again Krzyzanowski and his brigade made an important contribution to the Union victory. For five hours from about 4:00 p.m. to 9:00 p.m., the Confederate bombarded the position of the XI Corps, including Krzyzanowski's brigade on Cemetery Hill with the heaviest cannonade of the war. The brigade endured it with coolness and resolution.

At about 9:00 p.m., Ewell sent Early's division against General Ames' 1st Division of the XI Corps, which was on the right of the Corps position. Hays' Louisiana brigade broke into the Union lines and fought hand to hand for the guns of Captain Wiedrich's Battery 1st New York Light Artillery, which Ames' 1st Division was supporting.

Krzyzanowski and his two New York regiments, the 58th and 119th New York Volunteers, were sent to recapture the guns and drive the enemy off the hill. Other reinforcements were also sent to assist General Ames' infantry. These reinforcements included Carroll's brigade of the II Corps. In all the books, except one, that I have read on this particular fight, including Mr. Catton's book: "Glory Road", no mention is made of the contributions to this fight made by Krzyzanowski and his two New York regiments, the 58th and 119th New York. Most books give all the credit to General Carroll's brigade for this action. These accounts are not fair to General Krzyzanowski and his two New York regiments, if the official reports of the Commanders concerned are taken into account.

Let me read from the after action report to General Krzyzanowski by Major Willis of the 119th New York, regarding this fight:

"Late in the evening (about 9 P.M.) the enemy made a most desperate charge upon a battery supported by the First Division of our corps. They rushed forward with incredible fierceness, driving back the First Division in disorder, and actually reached the

guns (one of which our men had already spiked) and demanded a surrender, but the commander of the battery and his brave cannoniers did not yield. Then you, (note: General Krzyzanowski) seeing the critical position of affairs, and well knowing how soon the enemy would possess himself of the battery and that commanding heights, if not forced back, called upon our regiment and Fifty-eighth New York Volunteers, also of your brigade, to fall in and advance against them. It is needless for me, to say, general, for you led us in person, with what alacrity the regiment responded, and with what determination it moved forward, and with what courage it met the foe, and, in conjunction with the gallant Fifty-eighth, drove him back, saved the position, and thus secured the whole army from irreparable disaster. Here ends the second day's struggle."

This report by Major Willis of the action of Krzyzanowski and his two N.Y. regiments, in coming to the assistance of Captain Wiedrich's battery of artillery, is confirmed by the after action report of the 58th N.Y. and also by that of the division commander, Major General Carl Schurz; and, finally, by the report of the Corps Commander, Major General O. O. Howard.

I must admit that a brief history of the 58th New York in Fox's book—"New York at Gettysburg" states that when the 58th got to this fight they found that the assailants had been, "repulsed without their assistance." But, that was written ten years after the war. I prefer to place greater credence on the after action reports written immediately after the battle when it was fresh in the commanders' minds. I, therefore, say that General Krzyzanowski and his New York Regiments, the 58th and 119 New York Volunteers, should receive a fair share of credit for their actions in this important part of the battle of Gettysburg.

## FOUR RESOLUTIONS OF THE COMMONWEALTH OF MASSACHUSETTS

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. CONTE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include four resolutions by the Commonwealth of Massachusetts:

Resolution memorializing the Congress of the United States to enact legislation removing the restriction on the amount of income a person may earn while receiving social security benefits

Whereas, Under present law a person receiving social security benefits is not permitted to earn more than sixteen hundred and eighty dollars in any one year without a decrease in payments received by him; and

Whereas, Many of the persons receiving such payments are almost totally dependent upon them for their living expenses; and

Whereas, The cost of living has increased substantially so that the benefits referred to are now totally inadequate; and

Whereas, The removal of the restriction on the amount of income that a person may earn while receiving social security benefits will enable such person to retain his self respect; now, therefore, be it

Resolved, That the General Court of Massachusetts respectfully urges the Congress of the United States to enact legislation removing the restrictions on the amount of income a person may earn while receiving social security benefits; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, the presiding officer of each branch of the Congress and to the members thereof from the Commonwealth.

Senate, adopted, February 12, 1969.

NORMAN L. PIGEON.

Clerk.

House of Representatives, adopted in concurrence, February 19, 1969.

WALLACE C. MILLS.

Clerk.

Attest:

JOHN F. X. DAVOREN.

Secretary of the Commonwealth.

Resolution memorializing Congress to pass legislation amending the Internal Revenue Code to permit homeowners to deduct up to \$500 a year for the maintenance, preservation, and rehabilitation of their homes

Whereas, The existing stock of residential property in the cities and towns of America provides the core of the residential resources of our Country; and

Whereas, The creation of new housing can never provide more than a small percentage of the units available in the existing housing stock; and

Whereas, The preservation of this priceless natural and economic resource must be the keystone of national housing policy; therefore be it

Resolved, That the Massachusetts House of Representatives respectfully urges the Congress of the United States to amend the Internal Revenue Code to permit homeowners to deduct up to five hundred dollars a year for the maintenance, preservation and rehabilitation of their homes; and be it further

Resolved, That copies of these resolutions be transmitted by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress and to the members thereof from this Commonwealth.

House of Representatives, adopted, February 13, 1969.

WALLACE C. MILLS.

Clerk.

Attest:

JOHN F. X. DAVOREN.

Secretary of the Commonwealth.

Resolution memorializing Congress to enact legislation granting tax incentives to those businesses which will locate in the slums and to those which give training necessary for the employment of the disadvantaged in or from slum areas

Whereas, One out of every three residents living in our city slums has a serious employment problem; and

Whereas, The continuing shift of the more affluent population, businesses and industries from the central cities to the suburbs is intensifying the employment problems of the poor who remain in central cities; and

Whereas, Strong measures are needed now to stem the flight of business and industry from the central city areas and to encourage private enterprise to offer opportunities for training to the nation's disadvantaged; therefore be it

Resolved, That the Massachusetts House of Representatives respectfully urges the Congress to enact legislation granting tax incentives to those businesses which will locate in the slums and to those which give training necessary for the employment of the disadvantaged in or from slum areas; and be it further

Resolved, That copies of these resolutions be transmitted by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress and to members thereof from this Commonwealth.